

(S. J.R. 177)

**JOINT RESOLUTION NO. 15
JANUARY 24, 2018**

To authorize municipalities receiving allocations pursuant to Joint Resolution 4-2017, to use up to thirty percent (30%) of the funds allocated for operating expenses and matters related to the recovery works following the passage of the Hurricane Maria; to provide that such funds will not be subject to the limitations on their use provided in Section 4050.09 of Act 1-2011, as amended, better known as the "Internal Revenue Code for a New Puerto Rico"; and for other related purposes.

PREAMBLE

Joint Resolution 4-2017, distributes the sum of \$11,794,460.48 to municipalities, agencies and other instrumentalities of the Government of Puerto Rico for different purposes. The funds allocated in this Joint Resolution stem from the Municipal Improvements Fund, established in Section 4050.09 of Law 1-2011, as amended, better known as the "Internal Revenue Code for a New Puerto Rico" ("IRCNP"). This section of the IRCNP establishes certain restrictions for the use of the funds, among them, that they not be destined to cover operating expenses.

After the passage of Hurricane Maria, the State has been forced to incur a series of expenses not included in the budget. The municipalities have not been unaware of this situation, particularly because they are responsible for providing the first response and help to the citizens.

The clean-up and recovery works represent a high cost for the municipal coffers, which were already precarious given the fiscal crisis that the Island is undergoing. Given this situation, we have the responsibility of identifying solutions that help the prompt recovery of the municipalities, without affecting the limited resources of the state government.

In light of the foregoing, this Legislature deems it pertinent to authorize the municipalities to which funds were allocated pursuant to Joint Resolution 4-2017, to use up to thirty percent (30%) of the amount allocated for operating expenses and works related to the recovery after the passage of Hurricane Maria. Likewise, it is provided that such funds will not be subject to the restrictions established in Section 4050.09 of the IRCNP. This will allow them to have access to resources that will facilitate their recovery.

BE IT RESOLVED BY THE PUERTO RICO LEGISLATURE:

Section 1.- The municipalities receiving allocations pursuant to Joint Resolution 4-2017, are authorized to use up to thirty percent (30%) of the funds allocated for operating expenses and matters related to the recovery works following the passage of the Hurricane Maria.

Section 2.- The municipalities may use the funds allocated pursuant to Joint Resolution 4-2017 for the purposes provided therein and those authorized in Section 1 of this Joint Resolution.

CERTIFIED TRANSLATION

BY: OLGA M. ALICEA, FCCI, NJITCE-S

The funds used by the municipalities pursuant to the authorization provided in Section 1 of this Joint Resolution will not be subject to the limitations of use imposed by Section 4050.09 of Law 1-2011, as amended, better known as the "Internal Revenue Code for a New Puerto Rico."

Section 3.- Contracting with the municipal governments, private contractors, as well as any department, agency, instrumentalities or public corporations of the Government of Puerto Rico for the development of the purposes of this Joint Resolution is authorized.

Section 4.- If any clause, paragraph, article, or part of this Joint Resolution is declared unconstitutional by a competent court, the judgment entered to that effect will not affect or invalidate the rest of the provisions of this Joint Resolution. The effect of said judgment will be limited to the clause, paragraph, article, or part of the Joint Resolution that has been declared unconstitutional.

Section 5.- This Joint Resolution will enter into effect immediately after its approval.

CERTIFICATION

I, OLGA M. ALICEA, AN ENGLISH-SPANISH INTERPRETER AND TRANSLATOR CERTIFIED TO THAT EFFECT BY THE ADMINISTRATIVE OFFICE OF THE U.S. COURTS AND BY THE NATIONAL ASSOCIATION OF JUDICIARY INTERPRETERS & TRANSLATORS (NAJIT), DO HEREBY CERTIFY THAT I HAVE PERSONALLY TRANSLATED THE FOREGOING DOCUMENT FROM SPANISH TO ENGLISH AND THAT THE TRANSLATION IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE AND ABILITIES.

S/ OLGA M. ALICEA
OLGA M. ALICEA, FCCI, NJITCE-S , FED. CERT. No. 98-005

JUNE 28, 2019
DATE